

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Sprint Nextel,        ) Application No. 911-022.05  
Overland Park, Kansas, seeking        )  
funding approval for recurring        ) ORDER APPROVING COSTS  
and non-recurring costs of            )  
Enhanced Wireless 911                 )  
implementation.                         ) Entered: October 24, 2007

BY THE COMMISSION:

The Commission previously approved funding for Sprint Nextel from the Enhanced Wireless 911 Fund to provide enhanced wireless 911 service to the following public safety answering point[s] (PSAPs) for several counties. On October 2, 2007, Sprint Nextel filed a request for funding to include costs related to Washington County.

Sprint Nextel seeks initial non-recurring costs and recurring costs to implement and provide enhanced wireless 911 service for the above-listed PSAP[s]. Initial costs are for data circuits, facility charges, engineering labor, database upgrades, project management and other operations costs. Recurring costs are monthly fees for data circuits, facility charges, ongoing engineering labor, database management and project management.

O P I N I O N     A N D     F I N D I N G S

This Order [or request for funding] is being processed pursuant to *Neb. Rev. Stat. §§ 86-444 to 86-456 (2006 Supp.)*, 291 *Neb. Admin. Code*, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002.

Costs requested in relation to this Order are eligible under *Neb. Rev. Stat. § 86-465(2)(a)(2006 Supp.)*.

All costs have been incurred or will be incurred to implement enhanced wireless 911 service, and may include the following: (a) the portion of the costs for new equipment used for providing enhanced wireless 911 service; (b) costs to lease another vendor's equipment or services to provide enhanced wireless 911 service; (c) costs to create or maintain any database or database elements used solely for enhanced wireless 911 service; and (d) other costs of establishing enhanced wireless 911 service.

Sprint Nextel has submitted an implementation plan in compliance with Commission Docket No. 911-001.

Based upon the request for funding and supporting documentation, the Commission is of the opinion and finds that the request for funding should be granted under the following conditions.

Funding for all previously approved counties pursuant to this Order shall continue. The Commission finds that payment to Sprint Nextel for initial implementation charges and recurring monthly charges shall be made once implementation is completed in Washington County. Sprint Nextel shall notify the Commission in writing that implementation has been completed.

Attached hereto in Appendix A is a summary of approved funding for Sprint Nextel to be paid from the Fund. All amounts previously approved will be paid according to the amounts set forth in Appendix A as of the effective date of this order. The Commission will utilize Appendix A as the basis to review and ensure the correctness of all prior payments. Information set forth in Appendix A shall be treated as proprietary and confidential.

Payment of all recurring charges shall be made in arrears on a quarterly basis. Payment shall be adjusted based upon the number of cell sites reported by [Name of Carrier] in its quarterly reports required by Neb. Rev. Stat. § 86-459 (2006 Supp.) Payments to Sprint Nextel will no longer be made upon invoice. The Commission will not approve any increase in Wireless Carrier costs during the effectiveness of the interim policy, which was adopted by the Commission in Application No. 911-017/PI-116, Order Adopting Interim Policy, January 9, 2007. The Commission will continue to consider costs associated with new implementations.

Sprint Nextel shall comply with all reporting requirements set forth in § 86-459. Failure to do so could result in delay or loss of funding.

The Commission further finds that Sprint Nextel is hereby put on notice that approval of the funding pursuant to this Order is made with the understanding it may be modified in the future consistent with the permanent funding mechanism established pursuant to LB 1222 (2006).

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Sprint Nextel's funding should be granted as outlined herein.

IT IS FURTHER ORDERED that all future payments made to Sprint Nextel after the effective date of this order shall be consistent with Appendix A unless otherwise ordered by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of October, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director